

**BY-LAWS
OF
THE REGION VII BEHAVIORAL HEALTH BOARD**

ARTICLE I: NAME AND ESTABLISHMENT

The name of this organization shall be Region VII Behavioral Health Board. In accordance with Idaho Code 39-3132 this Board is established with the legislative intent to be recognized as a governmental entity authorized by the state, in the same manner as other single purpose districts. This Board has no authority to levy taxes. The Board is authorized to provide the community family support and recovery support services listed in Idaho Code 39-3135 (7), but is not limited to or required to manage those services.

ARTICLE II: JURISDICTION

The principal business of this Board covers the following counties in the State of Idaho: Bingham, Bonneville, Butte, Clark, Custer, Fremont, Jefferson, Lemhi, Madison, and Teton.

ARTICLE III: MEMBERS, ~~OFFICERS, AND ELECTIONS~~, OFFICERS, AND STAFF

Section 1. Members shall be selected in accordance to Idaho Code 39-3130 totaling 22 members with the following allocation:

- a. Three (3) county commissioners or their designee;
- b. Two (2) Department of Health and Welfare employees who represent the behavioral health system within the region;
- c. One (1) parent of a child with a serious emotional disturbance;
- d. One (1) parent of a child with a substance use disorder;
- e. One (1) law enforcement officer;
- f. One (1) adult mental health services consumer representative;
- g. One (1) mental health advocate;
- h. One (1) substance use disorder advocate;
- i. One (1) adult substance use disorder services consumer representative;
- j. One (1) family member of an adult mental health services consumer;
- k. One (1) family member of an adult substance use disorder services consumer;
- l. A private provider of mental health services within the region;
- m. A private provider of substance use disorder services within the region;
- n. A representative of the elementary or secondary public education system within the region;
- o. A representative of the juvenile justice system within the region;
- p. A representative of the adult correction system within the region;
- q. A representative of the judiciary appointed by the administrative district judge;
- r. A physician or other licensed health practitioner from within the region;
- s. A representative of a hospital within the region;

Section 2. Nominations to fill expiring or otherwise vacated terms of board members shall be solicited from the Board, families, consumers, providers and advocacy groups. The list of nominations shall be submitted to the board membership and to the partnering public entity ~~should one be established~~ before forwarding to the appointing authority. In accordance with Idaho Code 39-3134, the appointing authority in each region shall be a committee composed of the following:

- a. Chair of the Board of county commissioners of each of the counties within the region,
- b. Current chair of the Regional Behavioral Health Board and

c. One representative of the Department of Health and Welfare.

Section 3. ~~In June,~~ The Board shall ~~annually~~ elect to a one year term a Chair, Vice Chair, Treasurer, and Secretary from among its members.

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Duties of Chair: The Board Chair conducts Behavioral Health Board meetings, prepares the meeting agenda after receiving agenda suggestions from Board and Staff members, assist~~s~~ all Board committees, identifies and monitors Behavioral Health Board agreed upon goals and maintain~~s~~ appropriate communication with Region VII Board Members, ~~EIPH~~ Staff and other stakeholders. It is the responsibility of the Chair to see that needed board nominations are made in a timely manner.

Duties of Vice Chair: The Vice Chair shall act as an aid to the Chair and shall perform the duties of the Chair in the absence or inability of the Chair to act. The Vice Chair will facilitate an annual audit of the financial accounts.

Duties of Secretary: The Board Secretary receives notice from ~~EIPH Staff when~~ Board members ~~when they are unable to attend Board meetings,~~ keeps track of attendance ~~without cause~~ and notifi~~es~~y any member after two ~~such~~ absences ~~without cause~~. The Board Secretary coordinates with ~~the Board Chair~~ ~~EIPH staff~~ to: maintain a list of current Board Members and their contact information, present the list of Board positions to be filled to the Behavioral Health Board Appointing Committee, ~~and~~ monitor corrections to the Board minutes, ~~and maintain a file of the approved documents and maintain official Board documents in an electronic and/or hard copy file. The staff will provide administrative assistance to carry out these functions. Minutes are taken at each meeting and shall include all action items and recommendations. Copies of the minutes shall be distributed to Board members. The staff will provide administrative assistance during the meeting and will distribute minutes, agenda and other informational material prior to Board meetings. When voting occurs, the Board Secretary will record the vote of each member of board. Board Secretary (unless otherwise designated by the Board) will maintain the Region VII Behavioral Health Board Webpage (hyperlink to webpage added to word WEBPAGE.) Board Secretary (or other personal as otherwise designated) will submit to the Board to have any and all changes to the Webpage by a majority vote.~~

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Duties of the Treasurer: The Treasurer shall ~~keep and maintain~~ ~~be knowledgeable about~~ the financial accounts of the Board ~~that are maintained by EIPH staff,~~ and shall give a financial report to the Board as requested, but at least quarterly, ~~and shall deliver an annual financial report.~~

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Duties of Eastern Idaho Public Health (EIPH) Staff: ~~Will take minutes at each meeting, which shall include all action items and recommendations. The staff will provide administrative assistance during the meeting and will distribute minutes, agendas, and other informational material prior to Board meetings. When voting occurs, staff will record the vote of each member of board. Staff will maintain the Region VII Behavioral Health Board website. Staff will report any significant changes to the website to the Board.~~

~~Section 4. In accordance with Idaho Code 39-3133 this Board shall annually elect from its membership an executive committee of five (5) members to serve with officers on the Behavioral Health Board. The membership shall include one (1) mental health consumer or advocate and one (1) substance use disorder consumer or advocate. The Executive Committee shall be empowered to make fiscal, legal and business decisions on behalf of the full Board. The Regional Behavioral Health Board may join with another governmental entity that can fulfill the same management infrastructure function. The executive committee or partner public entity shall have the power to:~~

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1. ~~Establish a fiscal control policy as required by the state controller;~~
2. ~~Enter into contracts and grants with other governmental and private agencies;~~
3. ~~Develop and maintain bylaws as necessary;~~
4. ~~Employ and fix the compensation, subject to the provisions of chapter 53; title 67, Idaho Code, of such personnel as may be necessary to carry out the duties of the Board.~~

All meetings of the executive committee shall be held in accordance with the open meeting law, Idaho Code Chapter 23, title 67.

ARTICLE IV: TERM -- VACANCIES -- COMPENSATION

Section 1. In accordance with Idaho Code 39-3134, the term of each member of the Board shall be for four (4) years and members shall be eligible for reappointment. Current membership and term expiration dates shall be recorded in the minutes of the ~~June annual~~ meeting each year.

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Resignation from the Board must be in writing and received by the Secretary, ~~with a copy provided to EIPH staff.~~

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Termination from the Board ~~may will~~ occur if there are three unexcused absences ~~(without cause)~~ from regularly scheduled Board meetings in a year. ~~The Board Secretary or designee shall notify any member after two such absences.~~ Termination of Board membership may also occur for inappropriate activities if approved by a Board vote. The vote to terminate a Board member must receive a two-thirds majority of the Board. ~~The Board member who is the subject of the termination vote may not be present at the time of the vote.~~ A letter of termination signed in writing by the ~~Chair, President~~ will be delivered to the terminated member, ~~with copies, and~~ to the Secretary ~~and EIPH staff.~~

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Section 2. Vacancies shall be filled as in Article III, Section 2.

Section 3. As resources allow, Board members ~~may shall~~ be reimbursed from Board funds at the IRS prescribed rate for travel and expense ~~and as provided in Idaho Code 59-509(b)~~ to attend meetings of the Board and other activities as authorized by ~~EIPH, DHW,~~ policy.

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Section 4. ~~Compensation for board members may be voted on, as well as the option to hire paid personnel.~~ Prior approval for any reimbursement/compensation must be received from the board ~~or executive board,~~ ~~in addition to any approvals required by EIPH.~~ Any compensation/reimbursement will come out of the Board funds.

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ARTICLE V: MEETINGS

Section 1. The Board will meet at least quarterly. These meetings will be held within the boundaries of Region VII. Generally, regular meetings are held monthly.

Section 2. All meetings are open to the public and subject to the requirements of Idaho's Open Meeting Law, Idaho Code Chapter 23, title 67.

Section 3. Special meetings may be called by the Chair or ~~by petition of at least two board members to the Chair, any other board member.~~ All board members must be given at least ~~one (1)~~ weeks' notice of a special meeting.

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Section 4. ~~A quorum is required for all voting.~~ A simple majority (more than half/greater than 50%) of the members of the Board constitutes a quorum. Voting by proxy will be allowed. Voting over a conference call line during the regular meeting ~~or via email within a one week window around the meeting date~~ will be allowed.

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Section 5. Members unable to attend a meeting shall notify ~~ElPH in advance of the meeting, the Board Secretary, Chairperson, or designee.~~ ~~Three consecutive absences without good cause may be deemed a termination of Board membership.~~

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Section 6. Conference call lines, video conferencing equipment, or other communication methods will be made available to facilitate participation of ~~Board~~ members in outlying communities.

Section 7. Community members are encouraged to attend and participate in Board meetings. Community members are not voting members of the Board.

ARTICLE VI: POWERS AND DUTIES

~~Section 1.~~ In accordance with Idaho Code 39-3135, the Regional Behavioral Health Board:

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~~(1a)~~ Shall advise the state behavioral health authority and the state planning council on local behavioral health needs within the region;

~~(2b)~~ Shall advise the state behavioral health authority and the planning council of the progress, problems and proposed projects of the regional service;

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~~(3e)~~ Shall promote improvements in the delivery of behavioral health services and coordinate and exchange information regarding behavioral health programs in the region;

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~~(4g)~~ Shall identify gaps in available services including but not limited to services listed in section 16-2402 (3) and 39-3131, Idaho Code, and recommend service enhancements that address identified needs for consideration to the state behavioral health authority;

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~~(5h)~~ Shall assist the planning council with planning for service system improvement. The planning council shall incorporate the recommendation to the regional behavioral health Boards into the annual report provided to the Governor by June 30th of each year. This report shall also be provided to the legislature;

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~~(6i)~~ May develop, or obtain proposals for, a petition for regional services for consideration by the state mental health authority;

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~~(7j)~~ May accept the responsibility to develop and provide community family support and recovery support services in their region. The Board must demonstrate readiness to accept this responsibility and shall not be held liable for services in which there is no funding to provide.

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The readiness criteria for accepting this responsibility shall be established by the planning council. The planning council shall also determine when a regional behavioral health Board has complied with the readiness criteria. Community family support and recovery support services include, but are not limited to:

- a. Community consultation and education;
- b. Housing to promote and sustain the ability of individuals with behavioral health disorders to live in the community and avoid institutionalization;
- c. Employment opportunities to promote and sustain the ability of individuals with behavioral health disorders to live in the community and avoid institutionalization;
- d. Evidence-based prevention activities that reduce the burden associated with mental illness and substance use disorders; and
- e. Supportive services to promote and sustain the ability of individuals with behavioral health disorders to live in the community and avoid institutionalization including, but not limited to, peer run drop-in centers, support groups, transportation and family support services.

~~(8k) If a regional board, after accepting the responsibility for a recovery support service, fails to successfully implement and maintain access to the service, the behavioral health authority shall, after working with the board to resolve the issue, take over responsibility for the services until the board can demonstrate its ability to regain organization and provision of the services;~~

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(9) Shall annually provide a report to the planning council, the regional behavioral health centers and the state behavioral health authority of its progress toward building comprehensive community family support and recovery support system that shall include performance and outcome data as defined and in a format established by the planning council; and

(10) The regional Board may establish subcommittees as it determines necessary and shall, at a minimum, establish and maintain a children's mental health subcommittee.

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~~(m) The Executive Committee will appoint such other committees and subcommittees as are needed to achieve the objectives of the Board. The Executive Committee may invite individuals who are not members of the Board to service on committees and subcommittees, however, committee chairs shall be members of the Behavioral Health Board.~~

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ARTICLE VII: BASIC POLICIES

Section 1. This Board shall be noncommercial, nonsectarian, and nonpartisan. There are no shareholders, only board members and hired personnel.

Section 2. No person shall be excluded from membership on the basis of race, color, creed, national origin, or disability.

~~Section 3. Subcommittees or working groups must be officially approved by the Board and must not speak for the Board or take actions on behalf of the board unless prior Board approval is given. The purpose of subcommittees or working groups is to carry out the functions of the Board, and members may be appointed from outside the Board membership.~~

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Section 3 Individuals who are not members of the Board may be invited to serve on committees and subcommittees; however committee chairs shall be members of the Behavioral Health

Board.

ARTICLE VIII: PROCEDURES

Section 1. PARLIAMENTARY AUTHORITY: *Robert's Rules of Order* (Simplified) shall be the governing authority for the order of business and conduct of all meetings of the Board, ~~the Executive Committee, and other committees of this organization when not in conflict with these By-Laws.~~

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~~Section 2. All actions shall be based on a majority vote of the quorum. A 2/3's vote is required to amend bylaws.~~

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Section ~~2~~³. Individual members of the Board, its subcommittees, or groups shall not speak for the Board, except on specific delegation by the Board, which will be documented in the Board meeting meetings. However, they may give out information about Board activities.

Section 3. The Board will be responsible for reviewing the bylaws on an annual basis. A two-thirds (2/3) vote is required to amend bylaws.

ARTICLE IX: AMENDMENTS

The sections of these By-Laws not mandated by law may be amended at any meeting of the Board by a two-thirds vote, provided the amendment is presented in writing to all members prior to the business meeting at which they are presented for adoption.

~~Amendment I:~~

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These bylaws were approved at a regular Board meeting on the _____ day of _____, 20__.

Signatures: _____
Chair Vice Chair

~~Board~~

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